

WEISBERG & MEYERS, LLC
ATTORNEYS FOR CONSUMERS
(PLEASE DIRECT MAIL TO OUR CORPORATE OFFICE IN PHOENIX)
5025 NORTH CENTRAL AVE, #602
PHOENIX, ARIZONA 85012
WWW.ATTORNEYSFORCONSUMERS.COM
TOLL FREE NATIONWIDE 1-888-595-9111
866-565-1327 FACSIMILE

EXTENSION: 511
E-MAIL: JLAHIFF@ATTORNEYSFORCONSUMERS.COM

WRITER LICENSED IN:
NEW YORK AND NEW JERSEY

December 6, 2012

Magistrate Judge Gabriel W. Gorenstein
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Burke, Brian v. Cullen & Troia, P.C. and Kenmore Associates, L.P.
Case No. 1:12-cv-04280-GBD-GBD

Dear Judge Gorenstein:

Plaintiff, Brian Burke (“Plaintiff”), submits his unopposed letter motion to extend the deadlines to amend pleadings, to complete discovery, to file dispositive motions, and to file a joint pretrial order, as well as the current trial date.

On August 8, 2012, the Court issued its case management plan and scheduling order requiring the pleadings to be amended by October 4, 2012, discovery to be completed by November 1, 2012, dispositive motions to be filed by December 6, 2012, a joint pretrial order to be filed by February 7, 2013, and the parties to be ready for trial within 48 hours notice on or after March 14, 2013. (Doc. 13).

On September 19, 2012, the Court issued an order staying discovery until 17 days after completion of the settlement conference. (Doc. 23). Due to scheduling conflicts and Hurricane Sandy, a settlement conference has not yet taken place and is currently scheduled for December 12, 2012. (Doc. 29). As a result, discovery remains stayed. Therefore, Plaintiff requests the Court extend each of these deadlines and proposes the following new deadlines:

Amendment of Pleadings: March 8, 2013

Discovery Completion: April 12, 2013

Dispositive Motions to be Filed: May 10, 2013

Joint Pretrial Order to be Filed: August 9, 2013

Parties to be Ready for Trial: September 9, 2013

Counsel for Plaintiff has conferred with counsel for Defendant Cullen & Troia, P.C. and counsel for Defendant Kenmore Associates, L.P., who advised that Defendants do not oppose the relief requested herein.

Best regards,

s/ Jeanne Lahiff
Jeanne Lahiff
NY Bar No. 2252435
Weisberg & Meyers, LLC
Attorneys for Plaintiff
80 Broad Street, 5th Floor
New York, NY 10004
(888) 595-9111 ext. 511
(866) 565-1327 (fax)

CC: Wayne L. Desimone
Attorney at Law
45 West 34th Street, Suite 900
New York, New York 10001
WLDesimone@aol.com
Attorney for Defendant Kenmore Associates, L.P.

Robert J. Grande
Keidel, Weldon & Cunningham, LLP
925 Westchester Avenue, Suite 400
White Plains, New York 10604
rgrande@kwcllp.com
Attorney for Defendant Cullen & Troia, P. C.